



State of Wisconsin
2015 - 2016 LEGISLATURE

P2
LRB-1509/PT
FFK&TKK: [unclear] rs
all inserts
RMNR

ASAP! - TODAY

DOA:.....Stritchko, BB0475 - School Accountability

FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION

4 don't gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Current law requires the State Superintendent of Public Instruction (state superintendent) to approve examinations for measuring pupil attainment of knowledge and concepts. With certain exceptions, current law requires school districts, participating private schools, and independent charter schools to administer the examination approved by the state superintendent. This bill prohibits the state superintendent from approving examinations developed by the Smarter Balanced Assessment Consortium.

This bill requires the UW-Madison Value-Added Research Center (VARC) to approve at least three but no more than five alternative examinations determined to be acceptable for statistical comparison with the examination approved by the state superintendent. Beginning in the 2015-16 school year, a school may administer an alternative examination approved by VARC instead of the examination approved by the state superintendent if the school notifies the state superintendent that it intends to do so.

Current law requires DPI to annually prepare accountability reports that evaluate the performance and improvement of each school and school district in the state and, beginning in the 2015-16 school year, of each participating private school and independent charter school. DPI must place each school and school district into

one of five performance categories based on certain measures including pupil achievement in reading and mathematics.

This bill replaces the performance categories with letter grades and makes changes to the measures used to determine school performance and school district improvement. Under the bill, in determining a school's performance or a school district's improvement, DPI must take into account the percentage of economically disadvantaged pupils enrolled in the school or school district and the length of time a pupil was enrolled in the school or school district. Each school must provide a copy of the school's accountability report to the parent or guardian of each pupil enrolled in the school.

Current law requires each school district, participating private school, and independent charter school to adopt pupil academic standards, and permits the schools to adopt academic standards approved by the state superintendent. The state superintendent has adopted academic standards, in mathematics and in English and language arts, developed by the Common Core State Standards Initiative (common core standards). This bill prohibits the state superintendent from giving effect to any common core standards currently in effect, and prohibits the state superintendent from adopting or implementing any new common core standards. The bill also prohibits the state superintendent from requiring a school district to adopt or implement any common core standard.

This bill requires each school board to annually provide to the parent or guardian of each child who resides within the school district of the educational options available to that child, and to post this information on the school district's Internet site. The bill requires the state superintendent to provide this same information, on a statewide basis, on DPI's Internet site.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.255 (1) (fm) of the statutes is created to read:

2 20.255 (1) (fm) *Value-Added Research Center.* The amounts in the schedule to
3 pay the costs of the University of Wisconsin-Madison Value-Added Research Center
4 under s. 118.301 (2) and (4).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 115.28 (54m) of the statutes is created to read:

6 115.28 (54m) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the
7 department's Internet site a link to information about all of the educational options

1 available to children in the state who are at least 3 years old but not yet 18 years old,
2 including public schools, private schools participating in a parental choice program,
3 charter schools, virtual schools, full-time open enrollment, youth options, course
4 options, and options for pupils enrolled in a home-based private educational
5 program.

6 SECTION 3. 115.293 of the statutes is created to read:

7 **115.293 Smarter Balanced Assessment Consortium; Common Core**
8 **State Standards Initiative; prohibition.** (1) Beginning on the effective date of
9 this subsection [LRB inserts date], the state superintendent shall cease all
10 participation in the Smarter Balanced Assessment Consortium.

11 (2) The state superintendent may not give effect to any academic standard
12 developed by the Common Core State Standards Initiative and adopted and
13 implemented in this state before the effective date of this subsection [LRB inserts
14 date]. The state superintendent may not require any school board to give effect to
15 any such academic standard.

16 (3) Beginning on the effective date of this subsection [LRB inserts date], the
17 state superintendent may not take any action to adopt or implement any academic
18 standard developed by the Common Core State Standards Initiative, and may not
19 direct any school board to adopt or implement any such standard.

20 SECTION 4. 115.385 (1) (a) (intro.) of the statutes is amended to read:

21 115.385 (1) (a) (intro.) Multiple measures to determine a school's performance
22 or a school district's improvement, including all of the following categorized by
23 English language proficiency, disability, income level, and race or ethnicity:

24 SECTION 5. 115.385 (1) (a) 1. of the statutes is amended to read:

25 115.385 (1) (a) 1. Pupil achievement and growth in reading and mathematics.

1 SECTION 6. 115.385 (1) (a) 1m. of the statutes is created to read:

2 115.385 (1) (a) 1m. Growth in pupil achievement in reading and mathematics,
3 calculated using a value-added methodology.

4 SECTION 7. 115.385 (1) (a) 2. of the statutes is repealed.

5 SECTION 8. 115.385 (1) (a) 3. of the statutes is amended to read:

6 115.385 (1) (a) 3. ~~Gaps~~ Gap closure in pupil achievement in reading and
7 mathematics and, when available, rates of graduation, categorized by race, English
8 language proficiency, disability, and income level.

9 SECTION 9. 115.385 (1) (a) 4. of the statutes is created to read:

10 115.385 (1) (a) 4. Rates of attendance or of high school graduation.

11 SECTION 10. 115.385 (1) (b) of the statutes is amended to read:

12 115.385 (1) (b) ^(intro.) ~~An index system to identify a school's level of performance and~~
13 ~~a school district's level of improvement and to annually place each school and school~~
14 ~~district into one of the 5 performance categories~~ ^{assign to} ~~and school~~ ^{into}
~~district~~ ^{following} ~~into~~ ^{move} ~~one of the 5 performance categories~~ ~~grade levels~~ ~~("A," "B," "C," "D," or "F")~~

Insert 4-16

15 SECTION 11. 115.385 (1) (c) of the statutes is created to read:

16 115.385 (1) (c) A qualitative definition for each of the 5 grade levels in par. (b).

17 SECTION 12. 115.385 (1m) of the statutes is created to read:

18 115.385 (1m) For purposes of determining a school's performance or a school
19 district's improvement under sub. (1) all of the following apply:

20 (a) The department may not include the following pupils or pupil assessment
21 scores:

22 a. A pupil who attended a private school under the program under s. 118.60 or
23 119.23 in the 8th grade and who transfers to a public school, including a charter
24 school, for the 9th grade.

1 b. A pupil who was enrolled in a public school, including a charter school, in the
2 8th grade and who transfers to a private school under the program under s. 118.60
3 or 119.23 for the 9th grade.

4 c. A pupil, other than a pupil enrolled in the 9th grade, who was enrolled in the
5 school or school district for less than one year prior to taking the pupil assessment.

6 (b) 1. Subject to subd. 2., if the department uses pupil assessment scores to
7 determine a school's performance or a school district's improvement, the department
8 shall account for the length of time a pupil was enrolled in the school or school district
9 prior to taking the pupil assessment by weighting pupil assessment scores as follows:

10 a. For a pupil who was enrolled in the school or school district for at least one
11 year but less than 2 years prior to taking the pupil assessment, multiply by 1.

12 b. For a pupil who was enrolled in the school or school district for at least 2 years
13 but less than 3 years prior to taking the pupil assessment, multiply by 2.

14 c. For a pupil who was enrolled in the school or school district for more than 3
15 years prior to taking the pupil assessment, multiply by 3.

16 2. The department may not, for purposes of determining a school's
17 performance, account for the length of time a 9th grade pupil was enrolled in the
18 school.

19 (c) The department shall consider the impact of poverty on pupil achievement
20 and growth by adjusting the importance given to the measures under sub. (1) (a) 1.
21 and 1m. based on the percentage of pupils in the school or school district who are
22 economically disadvantaged. In this paragraph, an economically disadvantaged
23 pupil is a pupil that satisfies either the income eligibility criteria for a free or
24 reduced-price lunch under 42 USC 1758 (b) (1) or other measures of poverty, as
25 determined by the department. Of the total weight the department allocates to the

1 measures under sub. (1) (a) 1. and 1m. for the purpose of determining a school's
2 performance or a school district's improvement, the department shall do as follows:

3 1. If 5 percent or less of the school or school district membership is comprised
4 of economically disadvantaged pupils, weight the measure under sub. (1) (a) 1. at 90
5 percent and the measure under sub. (1) (a) 1m. at 10 percent.

6 2. If 65 percent or more of the school or school district membership is comprised
7 of economically disadvantaged pupils, weight the measure under sub. (1) (a) 1. at 10
8 percent and the measure under sub. (1) (a) 1m. at 90 percent.

9 3. If the percentage of economically disadvantaged pupils in the school or school
10 district membership is more than 5 percent but less than 65 percent, the department
11 shall determine the weight of the measures under sub. (1) (a) 1. as follows:

12 a. Divide 80 by 60.

13 b. Multiply the quotient determined under subd. 3. a. by the percentage of
14 economically disadvantaged pupils in the school or school district membership.

15 c. Add 3.35 to the result under subd. 3. b.

16 4. If the percentage of economically disadvantaged pupils in the school or school
17 district membership is more than 5 percent but less than 65 percent, the department
18 shall determine the weight of the measures under sub. (1) (a) 1m. by subtracting the
19 weight given to the measures under sub. (1) (a) 1. as determined under subd. 3. from
20 100.

21 **SECTION 13.** 115.385 (2) of the statutes is amended to read:

22 ~~115.385 (2) Beginning one year after a charter school established under s.~~
23 ~~118.40 (2r) or a private school participating in a parental choice program under s.~~
24 ~~118.60 or 119.23 begins using the student information system under s. 115.28 (12)~~
25 ~~(b), or begins using a system that is interoperable with that system, the~~ with the

1 annual school accountability report ^{published} prepared for the 2015-16 school year, the
2 department shall include ~~the school~~ in its annual school accountability report under
3 sub. (1) charter schools established under s. 118.40 (2r) and private schools
4 participating in a parental choice program under s. 118.60 or 119.23. The
5 department shall use the same criteria to measure the performance of all schools
6 included in the annual school accountability report.

7 SECTION 14. 115.385 (3) of the statutes is created to read:

8 115.385 (3) On an accountability report published for a private school
9 participating in a program under s. 118.60 or 119.23, the department shall specify
10 the percentage of pupils attending the private school under the program and comply
11 with one of the following:

12 (a) For a private school that submits achievement data only for those pupils
13 attending the private school under the program, identify the grade derived from data
14 about those pupils as the choice pupil grade.

15 (b) For a private school that submits achievement data for those pupils
16 attending the private school under s. 118.60 or 119.23 and achievement data for all
17 other pupils attending the private school, identify the grade derived from data about
18 pupils attending the school under s. 118.60 or 119.23 as the choice pupil grade. The
19 department shall also identify a 2nd grade, derived from data about all pupils
20 attending the private school including pupils attending the private school under s.
21 118.60 or 119.23, as the private school grade.

22 SECTION 15. 115.385 (4) of the statutes is created to read:

23 115.385 (4) Annually, each public school, including a charter school, and each
24 private school participating in a parental choice program under s. 118.60 or 119.23
25 shall provide a copy of the school's accountability report to the parent or guardian of

1 each pupil enrolled in or attending the school. Each school shall also provide to the
2 parent or guardian of each pupil enrolled in the school a list of the educational
3 options available to children who reside in the pupil's resident school district,
4 including public schools, private schools participating in a parental choice program,
5 charter schools, virtual schools, full-time open enrollment, youth options, course
6 options, and options for pupils enrolled in a home-based private educational
7 program.

8 SECTION 16. 118.153 (1) (a) 5. of the statutes is amended to read:

9 118.153 (1) (a) 5. Eighth grade pupils whose score in each subject area on the
10 examination administered under s. 118.30 (1m) (am) 1. or 118.301 (3) was below the
11 basic level, 8th grade pupils who failed the examination administered under s.
12 118.30 (1m) (am) 2. or 118.301 (3), and 8th grade pupils who failed to be promoted
13 to the 9th grade.

14 SECTION 17. 118.30 (1) of the statutes is amended to read:

15 118.30 (1) The state superintendent shall adopt or approve examinations
16 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,
17 10th, and 11th grades. Beginning in the 2015-16 school year, the state
18 superintendent may not adopt or approve assessments developed by the Smarter
19 Balanced Assessment Consortium.

20 SECTION 18. 118.30 (2) (b) 3. of the statutes is amended to read:

21 118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school
22 board shall excuse the pupil from taking an examination administered under sub.
23 (1m) or s. 118.301 (3).

24 SECTION 19. 118.30 (2) (b) 4. of the statutes is amended to read:

✓
Insert 8-8
→

✓
Insert 8-20
→

1 118.30 (2) (b) 4. Upon the request of a pupil's parent or guardian, the operator
2 of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an
3 examination administered under sub. (1r) or s. 118.301 (3).

4 **SECTION 20.** 118.30 (2) (b) 5. of the statutes is amended to read:

5 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing
6 body of a private school participating in the program under s. 119.23 shall excuse the
7 pupil from taking an examination administered under sub. (1s) (a) to (cm) or s.
8 118.301 (3).

9 **SECTION 21.** 118.30 (2) (b) 6. of the statutes is amended to read:

10 118.30 (2) (b) 6. Upon the request of a pupil's parent or guardian, the governing
11 body of a private school participating in the program under s. 118.60 shall excuse the
12 pupil from taking an examination administered under sub. (1t) (a) to (cm) or s.
13 118.301 (3).

14 **SECTION 22.** 118.30 (5m) of the statutes is amended to read:

15 118.30 (5m) When determining the percentage of pupils participating in the
16 program under s. 119.23 who performed at designated proficiency levels on the
17 examinations administered as required under sub. (1s) or s. 118.301 (3), the
18 department shall consider only the pupils participating in the program under s.
19 119.23 to whom the examinations were administered at each grade level, and shall
20 exclude from consideration those pupils participating in the program under s. 119.23
21 who were excused from taking the examinations under sub. (2) (b) 5.

22 **SECTION 23.** 118.30 (6) of the statutes is amended to read:

23 118.30 (6) A school board and an operator of a charter school under s. 118.40
24 (2r) is not required to administer the 4th and 8th grade examinations adopted or
25 approved by the state superintendent under sub. (1) or authorized under s. 118.301

1 (3) if the school board or the operator of the charter school administers its own 4th
2 and 8th grade examinations, the school board or operator of the charter school
3 provides the state superintendent with statistical correlations of those examinations
4 with the examinations adopted or approved by the state superintendent under sub.
5 (1), and the federal department of education approves.

6 **SECTION 24.** 118.30 (7) of the statutes is amended to read:

7 118.30 (7) If a school board enters into an agreement with a federally
8 recognized American Indian tribe or band in this state to establish a charter school,
9 that school board shall administer the examinations under sub. (1m) or s. 118.301
10 (3) regardless of the location of the charter school.

11 **SECTION 25.** 118.301 of the statutes is created to read:

12 **118.301 Alternative pupil assessments.** (1) In this section, “research
13 center” means the University of Wisconsin–Madison Value–Added Research Center.

14 (2) (a) Within 30 days after the effective date of this subsection ... [LRB inserts
15 date], the department shall request from the research center a list of nationally
16 recognized, norm–referenced alternative examinations determined by the research
17 center to be acceptable for statistical comparison with examinations adopted or
18 approved under s. 118.30 (1). Within 90 days after the effective date of this
19 subsection ... [LRB inserts date], the research center shall evaluate and approve at
20 least 3 and no more than 5 of the examinations and shall submit the list of approved
21 examinations to the department. The research center shall submit under this
22 paragraph only those examinations that are consistent with the following
23 parameters:

24 1. The examination aligns sufficiently with content standards established for
25 examinations adopted or approved under s. 118.30 (1).

1 2. The examination is comprised of a variety of testing methodologies,
2 including multiple choice and short answer, to assess a range of student skills.

3 3. The examination includes accommodations or alternative assessments for
4 students enrolled in a special education program under subch. V of ch. 115.

5 4. The examination provider makes available translations for limited-English
6 proficient pupils, as defined in s. 115.955 (7).

7 5. The examination may be administered in a variety of modes, including with
8 paper and pencil, in an online format, in a fixed form format, and in an adaptive
9 format.

10 6. The examination has internal consistency reliability coefficients of at least
11 0.8.

12 (b) An examination approved under this subsection may be administered only
13 by a school that notifies the department of its intent to administer the examination.

14 **(3)** (a) Notwithstanding s. 118.30 (1m), beginning in the 2015–16 school year,
15 a school board is not required to administer an examination adopted or approved by
16 the state superintendent under s. 118.30 (1) in any grade for which an examination
17 is required to be administered under s. 118.30 if the school board administers in that
18 grade an alternative examination approved by the research center under sub. (2).
19 If the school board elects to administer an alternative examination under this
20 paragraph, the school board shall notify the department of its intent to administer
21 the examination and shall publish that fact and information about the examination
22 on the school's Internet site.

23 (b) Notwithstanding s. 118.30 (1r), beginning in the 2015–16 school year, an
24 operator of a charter school under s. 118.40 (2r) is not required to administer an
25 examination adopted or approved by the state superintendent under s. 118.30 (1) in

1 any grade for which an examination is required to be administered under s. 118.30
 2 if the operator administers in that grade an alternative examination approved by the
 3 research center under sub. (2). If the operator of the charter school elects to
 4 administer an alternative examination under this paragraph, the operator shall
 5 notify the department of its intent to administer the examination and shall publish
 6 that fact and information about the examination on the school's Internet site.

7 (c) Notwithstanding s. 118.30 (1s), beginning in the 2015-16 school year, the
 8 governing body of each private school participating in the program under s. 119.23
 9 ^{✓ that is required to administer an examination under s. 118.30 (1s)} is not required to administer an examination adopted or approved ^{letter} by the state
 10 superintendent under s. 118.30 (1) in any grade for which an examination is required
 11 to be administered under s. 118.30 if the governing body administers in that grade
 12 an alternative examination approved by the research center under sub. (2). If the
 13 governing body of the private school elects to administer an alternative examination
 14 under this paragraph, the governing body shall notify the department of its intent
 15 to administer the examination and shall publish that fact and information about the
 16 examination on the school's Internet site. ^{that is required to administer an examination under s. 118.30 (1s) ✓}

17 (d) Notwithstanding s. 118.30 (1t), beginning in the 2015-16 school year, the
 18 [✓] governing body of a private school participating in a program under s. 118.60 is not
 19 required to administer an examination adopted or approved by the state
 20 superintendent under s. 118.30 (1) in any grade for which an examination is required
 21 to be administered under s. 118.30 if the governing body administers in that grade
 22 an alternative examination approved by the research center under sub. (2). If the
 23 governing body of the private school elects to administer an alternative examination
 24 under this paragraph, the governing body shall notify the department of its intent

1 to administer the examination and shall publish that fact and information about the
2 examination on the school's Internet site.

3 (e) If a school administers an alternative examination under this subsection,
4 the school board, operator, or governing body of the school is responsible for any
5 additional costs to administer the alternative examinations.

6 (4) (a) If a school board, an operator of a charter school under s. 118.40 (2r), or
7 the governing body of a private school participating in a program under s. 118.60 or
8 119.23 administers an alternative examination under sub. (3), the school board,
9 operator, or governing body shall submit the examination results to the research
10 center.

11 (b) The research center shall review all examination results received under par.
12 (a) and statistically equate them to the pupil examinations required under s. 118.30.
13 The research center shall provide the examination data, as statistically equated, to
14 the school board, operator, or governing body and to the department. The
15 department shall use data received under this subsection to determine a school's
16 performance or school district's improvement under s. 115.385.

17 **SECTION 26.** 118.33 (6) (a) 1. of the statutes is amended to read:

18 118.33 (6) (a) 1. Each school board shall adopt a written policy specifying the
19 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th
20 grade to the 9th grade. The criteria shall include the pupil's score on the examination
21 administered under s. 118.30 (1m) (a) or (am) or s. 118.301 (3), unless the pupil has
22 been excused from taking the examination under s. 118.30 (2) (b); the pupil's
23 academic performance; the recommendations of teachers, which shall be based solely
24 on the pupil's academic performance; and any other academic criteria specified by

1 the school board. Except as provided in par. (b) 1. and 3., the criteria apply to pupils
2 enrolled in charter schools located in the school district.

3 **SECTION 27.** 118.33 (6) (b) 1. of the statutes is amended to read:

4 118.33 (6) (b) 1. Each operator of a charter school under s. 118.40 (2r) shall
5 adopt a written policy specifying the criteria for promoting a pupil from the 4th grade
6 to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include
7 the pupil's score on the examination administered under s. 118.30 (1r) (a) or (am) or
8 s. 118.301 (3), unless the pupil has been excused from taking the examination under
9 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
10 which shall be based solely on the pupil's academic performance; and any other
11 academic criteria specified by the operator of the charter school.

12 **SECTION 28.** 118.33 (6) (c) 1. of the statutes is amended to read:

13 118.33 (6) (c) 1. The governing body of each private school participating in the
14 program under s. 119.23 shall adopt a written policy specifying criteria for promoting
15 a pupil who is attending the private school under s. 119.23 from the 4th grade to the
16 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
17 pupil's score on the examination administered under s. 118.30 (1s) (a) or (b) or s.
18 118.301 (3), unless the pupil has been excused from taking the examination under
19 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
20 which shall be based solely on the pupil's academic performance; and any other
21 academic criteria specified by the governing body of the private school.

22 **SECTION 29.** 118.33 (6) (cr) 1. of the statutes is amended to read:

23 118.33 (6) (cr) 1. The governing body of each private school participating in the
24 program under s. 118.60 shall adopt a written policy specifying criteria for promoting
25 a pupil who is attending the private school under s. 118.60 from the 4th grade to the

1 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
2 pupil's score on the examination administered under s. 118.30 (1t) (a) or (b) or s.
3 118.301 (3), unless the pupil has been excused from taking the examination under
4 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
5 which shall be based solely on the pupil's academic performance; and any other
6 academic criteria specified by the governing body of the private school.

7 **SECTION 30.** 118.40 (2r) (d) 2. of the statutes is amended to read:

8 118.40 (2r) (d) 2. Administer the examinations under ~~ss.~~ s. 118.30 (1r) or
9 118.301 (3) and s. 121.02 (1) (r) to pupils enrolled in charter schools under this
10 subsection.

11 **SECTION 31.** 118.57 of the statutes is created to read:

12 **118.57 Notice of educational options.** Annually, by January 31, a school
13 board shall post on its Internet site the educational options available to children who
14 reside in the school district and are at least 3 years old but not yet 18 years old,
15 including public schools, private schools participating in a parental choice program,
16 charter schools, virtual schools, full-time open enrollment, youth options, course
17 options, and options for pupils enrolled in a home-based private educational
18 program.

19 **SECTION 32.** 118.60 (7) (e) of the statutes is amended to read:

20 118.60 (7) (e) Each private school participating in the program under this
21 section shall administer the examinations required under s. 118.30 (1t) or
22 examinations permitted under s. 118.301 (3) to pupils attending the school under the
23 program. The private school may administer additional standardized tests to such
24 pupils.

25 **SECTION 33.** 119.23 (7) (e) of the statutes is amended to read:

✓
Insert 15-11

SECTION 33

1 119.23 (7) (e) Each private school participating in the program under this
2 section shall administer the examinations required under s. 118.30 (1s) or
3 examinations permitted under s. 118.301 (3) to pupils attending the school under the
4 program. The private school may administer additional standardized tests to such
5 pupils.

6

(END)

Insert 11e-6 ✓

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1509/P1ins
FFK&TKK:cjs&kjf:rs

INSERT 4-16 ✓

1 SECTION 1. 115.385 (1) (b) 1. of the statutes is created to read:

2 115.385 (1) (b) 1. "A - Significantly Exceeds Expectations." ✓

3 SECTION 2. 115.385 (1) (b) 2. of the statutes is created to read:

4 115.385 (1) (b) 2. "B - Exceeds Expectations." ✓

5 SECTION 3. 115.385 (1) (b) 3. of the statutes is created to read:

6 115.385 (1) (b) 3. "C - Meets Expectations." ✓

7 SECTION 4. 115.385 (1) (b) 4. of the statutes is created to read:

8 115.385 (1) (b) 4. "D - Meets Few Expectations." ✓

9 SECTION 5. 115.385 (1) (b) 5. of the statutes is created to read:

10 115.385 (1) (b) 5. "F - Fails to Meet Expectations." ✓

INSERT 8-8

11 SECTION 6. 115.385 (5) of the statutes is created to read:

12 115.385 (5) Beginning in the 2017-18 school year and biennially thereafter, the
13 appropriate standing committee of each house of the legislature shall conduct a
14 review of school and school district accountability reports published under this
15 section. ✓

INSERT 8-20

16 SECTION 7. 118.30 (1s) (intro.) of the statutes is amended to read:

17 118.30 (1s) (intro.) Annually, the governing body of each private school
18 participating in the program under s. 119.23, other than a private school at which
19 fewer than 20 pupils are attending the school under the program under s. 119.23,
20 shall do all of the following: ✓

History: 1991 a. 269; 1993 a. 16, 367; 1995 a. 27 ss. 3971b to 3971yd, 9145 (1); 1997 a. 27, 164, 237; 1999 a. 9, 19, 32, 185, 186; 2001 a. 16, 109; 2003 a. 33; 2009 a. 28, 60; 2011 a. 32, 105; 2013 a. 20, 237.

21 SECTION 8. 118.30 (1t) (intro.) of the statutes is amended to read:



1 118.30 (1t) (intro.) Annually, the governing body of each private school
2 participating in the program under s. 118.60, other than a private school at which
3 fewer than 20 pupils[✓]are attending the school under the program under s. 118.60,
4 shall do all of the following:

History: 1991 a. 269; 1993 a. 16, 367; 1995 a. 27 ss. 3971b to 3971yd, 9145 (1); 1997 a. 27, 164, 237; 1999 a. 9, 19, 32, 185, 186; 2001 a. 16, 109; 2003 a. 33; 2009 a. 28, 60; 2011 a. 32, 105; 2013 a. 20, 237.

(end ins 8-20)

Insert 15-11 p.1

1 (3) Establish teacher and principal improvement programs that include all of
2 the following:

3 (a) Supplemental mentoring for those with emergency licenses or permits.

4 (b) Opportunities to pursue other professional certifications, including
5 certification by the National Board for Professional Teaching Standards.

6 (c) Annually, at least 60 hours of professional development that is incorporated
7 into their work. The school board shall consult with teachers and principals on the
8 content of the professional development.

9 (4) Adopt placement criteria for principals that include performance
10 evaluations and measures of pupil academic achievement.

11 SECTION 24. 118.57 of the statutes is created to read:

12 118.57 Notice of educational options; review report grade; pupil

13 assessments. (1) Annually, by January 31, each school board shall publish as a

14 class 1 notice, under ch. 985, and send by U.S. mail to the parent or guardian of each
post on its Internet site

15 child who is at least 3 years old but not yet 18 years old who resides in the school

16 district a description of the educational options available to the child, including

17 public schools, private schools participating in a parental choice program, charter

18 schools, virtual schools, full-time open enrollment, youth options, and course

19 options.

20 (2) The school board shall include in the notice under sub. (1) the most recent

21 review report issued under s. 115.39 (3) for each school within the school district
2 115.385(2) to

22 boundaries, including charter schools established under s. 118.40 (2r) and private

23 schools participating in a parental choice program under s. 118.60 or 119.23.

grade level assigned

letter sent by the

The school board shall inform parents that the full school and school district accountability report is available on the school board's Internet site.

and in the letter sent under sub (1)



1 (3) Annually, by August 1, each school board shall provide the parent or
2 guardian of each child enrolled in a public school in the school district a written
3 summary of all of the following:

4 (a) Each examination required or permitted to be administered under s. 118.30
5 that will be administered to pupils enrolled in a public school in the school district.

6 (b) The grade level to which each examination identified under par. (a) will be
7 administered.

8 (c) The expected date on which each examination identified under par. (a) will
9 be administered.

10 (d) The duration of each examination identified under par. (a).

11 (e) The instructional time required to prepare pupils for the examinations
12 identified under par. (a).

13 (f) The instructional time dedicated to administering each examination
14 identified under par. (a).

End
Insert
15-11

15 **SECTION 25.** 118.60 (2) (ag) 3. of the statutes is repealed.

16 **SECTION 26.** 118.60 (7) (a) of the statutes is repealed.

17 **SECTION 27.** 118.60 (7) (e) of the statutes is amended to read:

18 118.60 (7) (e) Each private school participating in the program under this
19 section shall administer either the examinations required under s. 118.30 (1t) or the
20 tests permitted under s. 118.301 (4) to pupils attending the school under the
21 program. The private school may administer additional standardized tests to such
22 pupils.

23 **SECTION 28.** 118.60 (10) (a) 4. of the statutes is repealed.

24 **SECTION 29.** 119.23 (2) (ag) 3. of the statutes is repealed.

25 **SECTION 30.** 119.23 (7) (a) of the statutes is repealed.

1 SECTION 31. 119.23 (7) (e) of the statutes is amended to read:

2 119.23 (7) (e) Each private school participating in the program under this
3 section shall administer either the examinations required under s. 118.30 (1s) or the
4 tests permitted under s. 118.301 (4) to pupils attending the school under the
5 program. The private school may administer additional standardized tests to such
6 pupils.

7 SECTION 32. 119.23 (10) (a) 4. of the statutes is repealed.

8 SECTION 33. 120.12 (13) of the statutes is created to read:

9 120.12 (13) DECLARATION OF EDUCATIONAL STANDARDS. (a) Annually, in the ^{prior to the beginning of the school term}
10 month of May, identify the pupil academic standards adopted under s. 118.30 (1g) (a)

11 1) under which the school district operates. ^{that will be in effect for the school year}

12 (b) Annually, include as an item on the agenda of the annual meeting ^{a first school board} (a

13 resolution regarding the pupil academic standards adopted by the school board ^{of the school year}

14 under s. 118.30 (1g) (a) 1. ^{that will be in effect for the school year}
^(end ins 16-6)

15 SECTION 34. 121.006 (2) (d) of the statutes is repealed.

16 SECTION 35. Nonstatutory provisions.

17 (1) RULES.

18 (a) *Submission to legislative council.* The department of public instruction
19 shall submit in proposed form the rules required under sections 115.39 and 118.301
20 of the statutes, as created by this act, to the legislative council staff under section
21 227.15 (1) of the statutes no later than the first day of the 6th month beginning after
22 the effective date of this paragraph.

23 (b) *Scope statement.* Notwithstanding section 227.135 (2) of the statutes, the
24 department of public instruction is not required to present the statement of the scope



State of Wisconsin
2015 - 2016 LEGISLATURE

P3
LRB-1509/P2
FFK&TKK:all:jf
insert

DOA:.....Stritchko, BB0475 - School Accountability

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

1/30/15

Don't Get

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Current law requires the State Superintendent of Public Instruction (state superintendent) to approve examinations for measuring pupil attainment of knowledge and concepts. With certain exceptions, current law requires school districts, participating private schools, and independent charter schools to administer the examination approved by the state superintendent. This bill prohibits the state superintendent from approving examinations developed by the Smarter Balanced Assessment Consortium.

This bill requires the UW-Madison Value-Added Research Center (VARC) to approve at least three but no more than five alternative examinations determined to be acceptable for statistical comparison with the examination approved by the state superintendent. Beginning in the 2015-16 school year, a school may administer an alternative examination approved by VARC instead of the examination approved by the state superintendent if the school notifies the state superintendent that it intends to do so.

Current law requires DPI to annually prepare accountability reports that evaluate the performance and improvement of each school and school district in the state and, beginning in the 2015-16 school year, of each participating private school and independent charter school. DPI must place each school and school district into

one of five performance categories based on certain measures including pupil achievement in reading and mathematics.

This bill replaces the performance categories with letter grades and makes changes to the measures used to determine school performance and school district improvement. Under the bill, in determining a school's performance or a school district's improvement, DPI must take into account the percentage of economically disadvantaged pupils enrolled in the school or school district and the length of time a pupil was enrolled in the school or school district. Each school must provide a copy of the school's accountability report to the parent or guardian of each pupil enrolled in the school.

Current law requires each school district, participating private school, and independent charter school to adopt pupil academic standards, and permits the schools to adopt academic standards approved by the state superintendent. The state superintendent has adopted academic standards, in mathematics and in English and language arts, developed by the Common Core State Standards Initiative (common core standards). This bill prohibits the state superintendent from giving effect to any common core standards currently in effect, and prohibits the state superintendent from adopting or implementing any new common core standards. The bill also prohibits the state superintendent from requiring a school district to adopt or implement any common core standard.

This bill requires each school board to annually provide to the parent or guardian of each child who resides within the school district of the educational options available to that child, and to post this information on the school district's Internet site. The bill requires the state superintendent to provide this same information, on a statewide basis, on DPI's Internet site.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.255 (1) (fm) of the statutes is created to read:

2 20.255 (1) (fm) *Value-Added Research Center.* The amounts in the schedule to
3 pay the costs of the University of Wisconsin-Madison Value-Added Research Center
4 under s. 118.301 (2) and (4).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 115.28 (54m) of the statutes is created to read:

6 115.28 (54m) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the
7 department's Internet site a link to information about all of the educational options

1 available to children in the state who are at least 3 years old but not yet 18 years old,
2 including public schools, private schools participating in a parental choice program,
3 charter schools, virtual schools, full-time open enrollment, youth options, course
4 options, and options for pupils enrolled in a home-based private educational
5 program.

6 SECTION 3. 115.293 of the statutes is created to read:

7 **115.293 Smarter Balanced Assessment Consortium; Common Core**
8 **State Standards Initiative; prohibition.** (1) Beginning on the effective date of
9 this subsection [LRB inserts date], the state superintendent shall cease all
10 participation in the Smarter Balanced Assessment Consortium.

11 (2) The state superintendent may not give effect to any academic standard
12 developed by the Common Core State Standards Initiative and adopted and
13 implemented in this state before the effective date of this subsection [LRB inserts
14 date]. The state superintendent may not require any school board to give effect to
15 any such academic standard.

16 (3) Beginning on the effective date of this subsection [LRB inserts date], the
17 state superintendent may not take any action to adopt or implement any academic
18 standard developed by the Common Core State Standards Initiative, and may not
19 direct any school board to adopt or implement any such standard.

20 SECTION 4. 115.385 (1) (a) (intro.) of the statutes is amended to read:

21 115.385 (1) (a) (intro.) Multiple measures to determine a school's performance
22 or a school district's improvement, including all of the following categorized by
23 English language proficiency, disability, income level, and race or ethnicity:

24 SECTION 5. 115.385 (1) (a) 1. of the statutes is amended to read:

25 115.385 (1) (a) 1. Pupil achievement ~~and growth~~ in reading and mathematics.

1 **SECTION 6.** 115.385 (1) (a) 1m. of the statutes is created to read:

2 115.385 (1) (a) 1m. Growth in pupil achievement in reading and mathematics,
3 calculated using a value-added methodology.

4 **SECTION 7.** 115.385 (1) (a) 2. of the statutes is repealed.

5 **SECTION 8.** 115.385 (1) (a) 3. of the statutes is amended to read:

6 115.385 (1) (a) 3. ~~Gaps~~ Gap closure in pupil achievement in reading and
7 mathematics and, when available, rates of graduation, ~~categorized by race, English~~
8 language proficiency, disability, and income level.

9 **SECTION 9.** 115.385 (1) (a) 4. of the statutes is created to read:

10 115.385 (1) (a) 4. Rates of attendance or of high school graduation.

11 **SECTION 10.** 115.385 (1) (b) of the statutes is renumbered 115.385 (1) (b) (intro.)
12 and amended to read:

13 115.385 (1) (b) (intro.) An index system to identify a school's level of
14 performance and a school district's level of improvement and to annually place assign
15 to each school into and school district one of -5 performance categories. the following
16 grade levels:

17 **SECTION 11.** 115.385 (1) (b) 1. of the statutes is created to read:

18 115.385 (1) (b) 1. "A — Significantly Exceeds Expectations."

19 **SECTION 12.** 115.385 (1) (b) 2. of the statutes is created to read:

20 115.385 (1) (b) 2. "B — Exceeds Expectations."

21 **SECTION 13.** 115.385 (1) (b) 3. of the statutes is created to read:

22 115.385 (1) (b) 3. "C — Meets Expectations."

23 **SECTION 14.** 115.385 (1) (b) 4. of the statutes is created to read:

24 115.385 (1) (b) 4. "D — Meets Few Expectations."

25 **SECTION 15.** 115.385 (1) (b) 5. of the statutes is created to read:

1 115.385 (1) (b) 5. “F — Fails to Meet Expectations.”

2 **SECTION 16.** 115.385 (1) (c) of the statutes is created to read:

3 115.385 (1) (c) A qualitative definition for each of the 5 grade levels in par. (b).

4 **SECTION 17.** 115.385 (1m) of the statutes is created to read:

5 115.385 (1m) For purposes of determining a school’s performance or a school
6 district’s improvement under sub. (1) all of the following apply:

7 (a) The department may not include the following pupils or pupil assessment
8 scores:

9 a. A pupil who attended a private school under the program under s. 118.60 or
10 119.23 in the 8th grade and who transfers to a public school, including a charter
11 school, for the 9th grade.

12 b. A pupil who was enrolled in a public school, including a charter school, in the
13 8th grade and who transfers to a private school under the program under s. 118.60
14 or 119.23 for the 9th grade.

15 c. A pupil, other than a pupil enrolled in the 9th grade, who was enrolled in the
16 school or school district for less than one year prior to taking the pupil assessment.

17 (b) 1. Subject to subd. 2., if the department uses pupil assessment scores to
18 determine a school’s performance or a school district’s improvement, the department
19 shall account for the length of time a pupil was enrolled in the school or school district
20 prior to taking the pupil assessment by weighting pupil assessment scores as follows:

21 a. For a pupil who was enrolled in the school or school district for at least one
22 year but less than 2 years prior to taking the pupil assessment, multiply by 1.

23 b. For a pupil who was enrolled in the school or school district for at least 2 years
24 but less than 3 years prior to taking the pupil assessment, multiply by 2.

1 c. For a pupil who was enrolled in the school or school district for more than 3
2 years prior to taking the pupil assessment, multiply by 3.

3 2. The department may not, for purposes of determining a school's
4 performance, account for the length of time a 9th grade pupil was enrolled in the
5 school.

6 (c) The department shall consider the impact of poverty on pupil achievement
7 and growth by adjusting the importance given to the measures under sub. (1) (a) 1.
8 and 1m. based on the percentage of pupils in the school or school district who are
9 economically disadvantaged. In this paragraph, an economically disadvantaged
10 pupil is a pupil that satisfies either the income eligibility criteria for a free or
11 reduced-price lunch under 42 USC 1758 (b) (1) or other measures of poverty, as
12 determined by the department. Of the total weight the department allocates to the
13 measures under sub. (1) (a) 1. and 1m. for the purpose of determining a school's
14 performance or a school district's improvement, the department shall do as follows:

15 1. If 5 percent or less of the school or school district membership is comprised
16 of economically disadvantaged pupils, weight the measure under sub. (1) (a) 1. at 90
17 percent and the measure under sub. (1) (a) 1m. at 10 percent.

18 2. If 65 percent or more of the school or school district membership is comprised
19 of economically disadvantaged pupils, weight the measure under sub. (1) (a) 1. at 10
20 percent and the measure under sub. (1) (a) 1m. at 90 percent.

21 3. If the percentage of economically disadvantaged pupils in the school or school
22 district membership is more than 5 percent but less than 65 percent, the department
23 shall determine the weight of the measures under sub. (1) (a) 1. as follows:

24 a. Divide 80 by 60.

1 b. Multiply the quotient determined under subd. 3. a. by the percentage of
2 economically disadvantaged pupils in the school or school district membership.

3 c. Add 3.35 to the result under subd. 3. b.

4 4. If the percentage of economically disadvantaged pupils in the school or school
5 district membership is more than 5 percent but less than 65 percent, the department
6 shall determine the weight of the measures under sub. (1) (a) 1m. by subtracting the
7 weight given to the measures under sub. (1) (a) 1. as determined under subd. 3. from
8 100.

9 **SECTION 18.** 115.385 (2) of the statutes is amended to read:

10 115.385 (2) ~~Beginning one year after a charter school established under s.~~
11 ~~118.40 (2r) or a private school participating in a parental choice program under s.~~
12 ~~118.60 or 119.23 begins using the student information system under s. 115.28 (12)~~
13 ~~(b), or begins using a system that is interoperable with that system, the~~ with the
14 accountability report published for the 2015–16 school year, the department shall
15 include ~~the school~~ in its annual school accountability report under sub. (1) charter
16 schools established under s. 118.40 (2r) and private schools participating in a
17 parental choice program under s. 118.60 or 119.23. The department shall use the
18 same criteria to measure the performance of all schools included in the annual school
19 accountability report.

20 **SECTION 19.** 115.385 (3) of the statutes is created to read:

21 115.385 (3) On an accountability report published for a private school
22 participating in a program under s. 118.60 or 119.23, the department shall specify
23 the percentage of pupils attending the private school under the program and comply
24 with one of the following:

1 (a) For a private school that submits achievement data only for those pupils
2 attending the private school under the program, identify the grade derived from data
3 about those pupils as the choice pupil grade.

4 (b) For a private school that submits achievement data for those pupils
5 attending the private school under s. 118.60 or 119.23 and achievement data for all
6 other pupils attending the private school, identify the grade derived from data about
7 pupils attending the school under s. 118.60 or 119.23 as the choice pupil grade. The
8 department shall also identify a 2nd grade, derived from data about all pupils
9 attending the private school including pupils attending the private school under s.
10 118.60 or 119.23, as the private school grade.

11 **SECTION 20.** 115.385 (4) of the statutes is created to read:

12 115.385 (4) Annually, each public school, including a charter school, and each
13 private school participating in a parental choice program under s. 118.60 or 119.23
14 shall provide a copy of the school's accountability report to the parent or guardian of
15 each pupil enrolled in or attending the school. Each school shall ^{also} provide to the ^{simultaneously}
16 parent or guardian of each pupil enrolled in the school a list of the educational
17 options available to children who reside in the pupil's resident school district,
18 including public schools, private schools participating in a parental choice program,
19 charter schools, virtual schools, full-time open enrollment, youth options, course
20 options, and options for pupils enrolled in a home-based private educational
21 program.

22 **SECTION 21.** 115.385 (5) of the statutes is created to read:

23 115.385 (5) Beginning in the 2017-18 school year and biennially thereafter, the
24 appropriate standing committee of each house of the legislature shall conduct a

1 review of school and school district accountability reports published under this
2 section.

3 SECTION 22. 118.153 (1) (a) 5. of the statutes is amended to read:

4 118.153 (1) (a) 5. Eighth grade pupils whose score in each subject area on the
5 examination administered under s. 118.30 (1m) (am) 1. or 118.301 (3) was below the
6 basic level, 8th grade pupils who failed the examination administered under s.
7 118.30 (1m) (am) 2. or 118.301 (3), and 8th grade pupils who failed to be promoted
8 to the 9th grade.

9 SECTION 23. 118.30 (1) of the statutes is amended to read:

10 118.30 (1) The state superintendent shall adopt or approve examinations
11 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,
12 10th, and 11th grades. Beginning in the 2015-16 school year, the state
13 superintendent may not adopt or approve assessments developed by the Smarter
14 Balanced Assessment Consortium.

15 SECTION 24. 118.30 (1s) (intro.) of the statutes is amended to read:

16 118.30 (1s) (intro.) Annually, the governing body of each private school
17 participating in the program under s. 119.23, other than a private school at which
18 fewer than 20 pupils are attending the school under the program under s. 119.23,
19 shall do all of the following:

20 SECTION 25. 118.30 (1t) (intro.) of the statutes is amended to read:

21 118.30 (1t) (intro.) Annually, the governing body of each private school
22 participating in the program under s. 118.60, other than a private school at which
23 fewer than 20 pupils are attending the school under the program under s. 118.60,
24 shall do all of the following:

25 SECTION 26. 118.30 (2) (b) 3. of the statutes is amended to read:

Insert 9-15

Insert 9-20

Insert 9-25

1 118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school
2 board shall excuse the pupil from taking an examination administered under sub.
3 (1m) or s. 118.301 (3).

4 **SECTION 27.** 118.30 (2) (b) 4. of the statutes is amended to read:

5 118.30 (2) (b) 4. Upon the request of a pupil's parent or guardian, the operator
6 of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an
7 examination administered under sub. (1r) or s. 118.301 (3).

8 **SECTION 28.** 118.30 (2) (b) 5. of the statutes is amended to read:

9 118.30 (2) (b) 5. Upon the request of a pupil's parent or guardian, the governing
10 body of a private school participating in the program under s. 119.23 shall excuse the
11 pupil from taking an examination administered under sub. (1s) (a) to (cm) or s.
12 118.301 (3).

13 **SECTION 29.** 118.30 (2) (b) 6. of the statutes is amended to read:

14 118.30 (2) (b) 6. Upon the request of a pupil's parent or guardian, the governing
15 body of a private school participating in the program under s. 118.60 shall excuse the
16 pupil from taking an examination administered under sub. (1t) (a) to (cm) or s.
17 118.301 (3).

18 **SECTION 30.** 118.30 (5m) of the statutes is amended to read:

19 118.30 (5m) When determining the percentage of pupils participating in the
20 program under s. 119.23 who performed at designated proficiency levels on the
21 examinations administered as required under sub. (1s) or s. 118.301 (3), the
22 department shall consider only the pupils participating in the program under s.
23 119.23 to whom the examinations were administered at each grade level, and shall
24 exclude from consideration those pupils participating in the program under s. 119.23
25 who were excused from taking the examinations under sub. (2) (b) 5.

1 SECTION 31. 118.30 (6) of the statutes is amended to read:

2 118.30 (6) A school board and an operator of a charter school under s. 118.40
3 (2r) is not required to administer the 4th and 8th grade examinations adopted or
4 approved by the state superintendent under sub. (1) or authorized under s. 118.301
5 (3) if the school board or the operator of the charter school administers its own 4th
6 and 8th grade examinations, the school board or operator of the charter school
7 ~~provides the state superintendent with~~ ^{Insert 11-7} statistical correlations of those examinations
8 with the examinations adopted or approved by the state superintendent under sub.
9 ^{Insert 11-9} (1), and the federal department of education approves.

10 SECTION 32. 118.30 (7) of the statutes is amended to read:

11 118.30 (7) If a school board enters into an agreement with a federally
12 recognized American Indian tribe or band in this state to establish a charter school,
13 that school board shall administer the examinations under sub. (1m) or s. 118.301
14 (3) regardless of the location of the charter school.

15 SECTION 33. 118.301 of the statutes is created to read:

16 **118.301 Alternative pupil assessments.** (1) In this section, “research
17 center” means the University of Wisconsin–Madison Value–Added Research Center.

18 (2) (a) Within 30 days after the effective date of this subsection [LRB inserts
19 date], the department shall request from the research center a list of nationally
20 recognized, norm–referenced alternative examinations determined by the research
21 center to be acceptable for statistical comparison with examinations adopted or
22 approved under s. 118.30 (1). Within 90 days after the effective date of this
23 subsection [LRB inserts date], the research center shall evaluate and approve at
24 least 3 and no more than 5 of the examinations and shall submit the list of approved
25 examinations to the department. The research center shall submit under this

1 paragraph only those examinations that are consistent with the following
2 parameters:

3 1. The examination aligns sufficiently with content standards established for
4 examinations adopted or approved under s. 118.30 (1).

5 2. The examination is comprised of a variety of testing methodologies,
6 including multiple choice and short answer, to assess a range of student skills.

7 3. The examination includes accommodations or alternative assessments for
8 students enrolled in a special education program under subch. V of ch. 115.

9 4. The examination provider makes available translations for limited-English
10 proficient pupils, as defined in s. 115.955 (7).

11 5. The examination may be administered in a variety of modes, including with
12 paper and pencil, in an online format, in a fixed form format, and in an adaptive
13 format.

14 6. The examination has internal consistency reliability coefficients of at least
15 0.8.

16 (b) An examination approved under this subsection may be administered only
17 by a school that notifies the department of its intent to administer the examination.

18 (3) (a) Notwithstanding s. 118.30 (1m), beginning in the 2015-16 school year,
19 a school board is not required to administer an examination adopted or approved by
20 the state superintendent under s. 118.30 (1) in any grade for which an examination
21 is required to be administered under s. 118.30 if the school board administers in that
22 grade an alternative examination approved by the research center under sub. (2).
23 If the school board elects to administer an alternative examination under this
24 paragraph, the school board shall notify the department of its intent to administer

1 the examination and shall publish that fact and information about the examination
2 on the school's Internet site.

3 (b) Notwithstanding s. 118.30 (1r), beginning in the 2015–16 school year, an
4 operator of a charter school under s. 118.40 (2r) is not required to administer an
5 examination adopted or approved by the state superintendent under s. 118.30 (1) in
6 any grade for which an examination is required to be administered under s. 118.30
7 if the operator administers in that grade an alternative examination approved by the
8 research center under sub. (2). If the operator of the charter school elects to
9 administer an alternative examination under this paragraph, the operator shall
10 notify the department of its intent to administer the examination and shall publish
11 that fact and information about the examination on the school's Internet site.

12 (c) Notwithstanding s. 118.30 (1s), beginning in the 2015–16 school year, the
13 governing body of each private school participating in the program under s. 119.23
14 that is required to administer an examination under s. 118.30 (1s) is not required to
15 administer an examination adopted or approved by the state superintendent under
16 s. 118.30 (1) in any grade for which an examination is required to be administered
17 under s. 118.30 if the governing body administers in that grade an alternative
18 examination approved by the research center under sub. (2). If the governing body
19 of the private school elects to administer an alternative examination under this
20 paragraph, the governing body shall notify the department of its intent to administer
21 the examination and shall publish that fact and information about the examination
22 on the school's Internet site.

23 (d) Notwithstanding s. 118.30 (1t), beginning in the 2015–16 school year, the
24 governing body of a private school participating in a program under s. 118.60 that
25 is required to administer an examination under s. 118.30 (1t) is not required to

1 administer an examination adopted or approved by the state superintendent under
2 s. 118.30 (1) in any grade for which an examination is required to be administered
3 under s. 118.30 if the governing body administers in that grade an alternative
4 examination approved by the research center under sub. (2). If the governing body
5 of the private school elects to administer an alternative examination under this
6 paragraph, the governing body shall notify the department of its intent to administer
7 the examination and shall publish that fact and information about the examination
8 on the school's Internet site.

9 (e) If a school administers an alternative examination under this subsection,
10 the school board, operator, or governing body of the school is responsible for any
11 additional costs to administer the alternative examinations.

12 (4) (a) If a school board, an operator of a charter school under s. 118.40 (2r), or
13 the governing body of a private school participating in a program under s. 118.60 or
14 119.23 administers an alternative examination under sub. (3), the school board,
15 operator, or governing body shall submit the examination results to the research
16 center.

17 (b) The research center shall review all examination results received under par.
18 (a) and statistically equate them to the pupil examinations required under s. 118.30.
19 The research center shall provide the examination data, as statistically equated, to
20 the school board, operator, or governing body and to the department. The
21 department shall use data received under this subsection to determine a school's
22 performance or school district's improvement under s. 115.385.

23 **SECTION 34.** 118.33 (6) (a) 1. of the statutes is amended to read:

24 118.33 (6) (a) 1. Each school board shall adopt a written policy specifying the
25 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th

Insert 14-9

1 grade to the 9th grade. The criteria shall include the pupil's score on the examination
2 administered under s. 118.30 (1m) (a) or (am) or s. 118.301 (3), unless the pupil has
3 been excused from taking the examination under s. 118.30 (2) (b); the pupil's
4 academic performance; the recommendations of teachers, which shall be based solely
5 on the pupil's academic performance; and any other academic criteria specified by
6 the school board. Except as provided in par. (b) 1. and 3., the criteria apply to pupils
7 enrolled in charter schools located in the school district.

8 **SECTION 35.** 118.33 (6) (b) 1. of the statutes is amended to read:

9 118.33 (6) (b) 1. Each operator of a charter school under s. 118.40 (2r) shall
10 adopt a written policy specifying the criteria for promoting a pupil from the 4th grade
11 to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include
12 the pupil's score on the examination administered under s. 118.30 (1r) (a) or (am) or
13 s. 118.301 (3), unless the pupil has been excused from taking the examination under
14 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
15 which shall be based solely on the pupil's academic performance; and any other
16 academic criteria specified by the operator of the charter school.

17 **SECTION 36.** 118.33 (6) (c) 1. of the statutes is amended to read:

18 118.33 (6) (c) 1. The governing body of each private school participating in the
19 program under s. 119.23 shall adopt a written policy specifying criteria for promoting
20 a pupil who is attending the private school under s. 119.23 from the 4th grade to the
21 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
22 pupil's score on the examination administered under s. 118.30 (1s) (a) or (b) or s.
23 118.301 (3), unless the pupil has been excused from taking the examination under
24 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,

1 which shall be based solely on the pupil's academic performance; and any other
2 academic criteria specified by the governing body of the private school.

3 **SECTION 37.** 118.33 (6) (cr) 1. of the statutes is amended to read:

4 118.33 (6) (cr) 1. The governing body of each private school participating in the
5 program under s. 118.60 shall adopt a written policy specifying criteria for promoting
6 a pupil who is attending the private school under s. 118.60 from the 4th grade to the
7 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
8 pupil's score on the examination administered under s. 118.30 (1t) (a) or (b) or s.
9 118.301 (3), unless the pupil has been excused from taking the examination under
10 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
11 which shall be based solely on the pupil's academic performance; and any other
12 academic criteria specified by the governing body of the private school.

13 **SECTION 38.** 118.40 (2r) (d) 2. of the statutes is amended to read:

14 118.40 (2r) (d) 2. Administer the examinations under ~~ss.~~ s. 118.30 (1r) or
15 118.301 (3) and s. 121.02 (1) (r) to pupils enrolled in charter schools under this
16 subsection.

17 **SECTION 39.** 118.57 of the statutes is created to read:

18 **118.57 Notice of educational options; review report grade; pupil**
19 **assessments.** (1) Annually, by January 31, each school board shall publish as a
20 class 1 notice, under ch. 985, ^{and} post on its Internet site, and send by U.S. mail to the
21 parent or guardian of each child who is at least 3 years old but not yet 18 years old
22 who resides in the school district, a description of the educational options available
23 to the child, including public schools, private schools participating in a parental
24 choice program, charter schools, virtual schools, full-time open enrollment, youth
25 options, and course options.

1 (2) The school board shall include in the notice under sub. (1) and in the letter
2 sent under sub. (1) the most recent grade level assigned under s. 115.385 (2) to each
3 school within the school district boundaries, including charter schools established
4 under s. 118.40 (2r) and private schools participating in a parental choice program
5 under s. 118.60 or 119.23. The letter sent by the school board shall inform parents
6 that the full school and school district accountability report is available on the school
7 board's Internet site.

le 8 (3) Annually, by August 1, each school board shall provide the parent or
9 guardian of each child enrolled in a public school in the school district a written
10 summary of all of the following:

11 (a) Each examination required or permitted to be administered under s. 118.30
12 that will be administered to pupils enrolled in a public school in the school district.

13 (b) The grade level to which each examination identified under par. (a) will be
14 administered.

15 (c) The expected date on which each examination identified under par. (a) will
16 be administered.

17 (d) The duration of each examination identified under par. (a).

18 (e) The instructional time required to prepare pupils for the examinations
19 identified under par. (a).

20 (f) The instructional time dedicated to administering each examination
21 identified under par. (a).

22 **SECTION 40.** 118.60 (7) (e) of the statutes is amended to read:

23 118.60 (7) (e) Each private school participating in the program under this
24 section shall administer the examinations required under s. 118.30 (1t) or
25 examinations permitted under s. 118.301 (3) to pupils attending the school under the

1 program. The private school may administer additional standardized tests to such
2 pupils.

3 **SECTION 41.** 119.23 (7) (e) of the statutes is amended to read:

4 119.23 (7) (e) Each private school participating in the program under this
5 section shall administer the examinations required under s. 118.30 (1s) or
6 examinations permitted under s. 118.301 (3) to pupils attending the school under the
7 program. The private school may administer additional standardized tests to such
8 pupils.

9 **SECTION 42.** 120.12 (13) of the statutes is created to read:

10 120.12 (13) DECLARATION OF EDUCATIONAL STANDARDS. (a) Annually, prior to the
11 beginning of the school term, notify the parents and guardians of pupils enrolled in
12 the school district of the pupil academic standards, adopted under s. 118.30 (1g) (a)
13 1., that will be in effect for the school year.

14 (b) Annually, include as an item on the agenda of the first school board meeting
15 of the school year a notice that clearly identifies the pupil academic standards
16 adopted by the school board under s. 118.30 (1g) (a) 1. that will be in effect for the
17 school year.

18 (END)

INSERT 9-15

1 SECTION 1. 118.30 (1m) (d) of the statutes is created to read:

2 118.30 (1m) (d) If the school board maintains an Internet site for the school
3 district, annually publish information on that Internet site about the examinations
4 administered under this subsection to pupils in the school district.

5 SECTION 2. 118.30 (1r) (d) of the statutes is created to read:

6 118.30 (1r) (d) If the operator of the charter school maintains an Internet site
7 for the school, annually publish information on that Internet site about the
8 examinations administered under this subsection to pupils in the school.

INSERT 9-20

9 SECTION 3. 118.30 (1s) (e) of the statutes is created to read:

10 118.30 (1s) (e) If the governing body of the private school maintains an Internet
11 site for the school, annually publish information on that Internet site about the
12 examinations administered under this subsection to pupils in the school.

INSERT 9-25

13 SECTION 4. 118.30 (1t) (e) of the statutes is created to read:

14 118.30 (1t) (e) If the governing body of the private school maintains an Internet
15 site for the school, annually publish information on that Internet site about the
16 examinations administered under this subsection to pupils in the school.

INSERT 11-7

17 submits the examination results to the University of Wisconsin - Madison
18 Value-Added Research Center to conduct

INSERT 11-9

19 the University of Wisconsin - Madison Value-Added Research Center provides
20 the statistical correlations to the state superintendent.

INSERT 14-9

1 (e) If a school administers an alternative examination in any grade under this
2 subsection, and if the cost of the alternative examination exceeds the cost of the
3 examination adopted or approved by the state superintendent for that grade, the
4 school board, operator, or governing body of the school is responsible for the
5 difference between the cost of the examination adopted or approved by the state
6 superintendent for that grade and the cost of the alternative examination for that
7 grade.



State of Wisconsin
2015 – 2016 LEGISLATURE

LRB-1509/P3
FFK&TKK:all:jf

DOA:.....Stritchko, BB0475 – School Accountability

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

PRIMARY AND SECONDARY EDUCATION

Current law requires the State Superintendent of Public Instruction (state superintendent) to approve examinations for measuring pupil attainment of knowledge and concepts. With certain exceptions, current law requires school districts, participating private schools, and independent charter schools to administer the examination approved by the state superintendent. This bill prohibits the state superintendent from approving examinations developed by the Smarter Balanced Assessment Consortium.

This bill requires the UW–Madison Value–Added Research Center (VARC) to approve at least three but no more than five alternative examinations determined to be acceptable for statistical comparison with the examination approved by the state superintendent. Beginning in the 2015–16 school year, a school may administer an alternative examination approved by VARC instead of the examination approved by the state superintendent if the school notifies the state superintendent that it intends to do so.

Current law requires DPI to annually prepare accountability reports that evaluate the performance and improvement of each school and school district in the state and, beginning in the 2015–16 school year, of each participating private school and independent charter school. DPI must place each school and school district into

one of five performance categories based on certain measures including pupil achievement in reading and mathematics.

This bill replaces the performance categories with letter grades and makes changes to the measures used to determine school performance and school district improvement. Under the bill, in determining a school's performance or a school district's improvement, DPI must take into account the percentage of economically disadvantaged pupils enrolled in the school or school district and the length of time a pupil was enrolled in the school or school district. Each school must provide a copy of the school's accountability report to the parent or guardian of each pupil enrolled in the school.

Current law requires each school district, participating private school, and independent charter school to adopt pupil academic standards, and permits the schools to adopt academic standards approved by the state superintendent. The state superintendent has adopted academic standards, in mathematics and in English and language arts, developed by the Common Core State Standards Initiative (common core standards). This bill prohibits the state superintendent from giving effect to any common core standards currently in effect, and prohibits the state superintendent from adopting or implementing any new common core standards. The bill also prohibits the state superintendent from requiring a school district to adopt or implement any common core standard.

This bill requires each school board to annually provide to the parent or guardian of each child who resides within the school district of the educational options available to that child, and to post this information on the school district's Internet site. The bill requires the state superintendent to provide this same information, on a statewide basis, on DPI's Internet site.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.255 (1) (fm) of the statutes is created to read:

2 20.255 (1) (fm) *Value-Added Research Center.* The amounts in the schedule to
3 pay the costs of the University of Wisconsin-Madison Value-Added Research Center
4 under s. 118.301 (2) and (4).

 ****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5 **SECTION 2.** 115.28 (54m) of the statutes is created to read:

6 115.28 (54m) NOTICE OF EDUCATIONAL OPTIONS. Include on the home page of the
7 department's Internet site a link to information about all of the educational options

1 available to children in the state who are at least 3 years old but not yet 18 years old,
2 including public schools, private schools participating in a parental choice program,
3 charter schools, virtual schools, full-time open enrollment, youth options, course
4 options, and options for pupils enrolled in a home-based private educational
5 program.

6 SECTION 3. 115.293 of the statutes is created to read:

7 **115.293 Smarter Balanced Assessment Consortium; Common Core**
8 **State Standards Initiative; prohibition.** (1) Beginning on the effective date of
9 this subsection ... [LRB inserts date], the state superintendent shall cease all
10 participation in the Smarter Balanced Assessment Consortium.

11 (2) The state superintendent may not give effect to any academic standard
12 developed by the Common Core State Standards Initiative and adopted and
13 implemented in this state before the effective date of this subsection ... [LRB inserts
14 date]. The state superintendent may not require any school board to give effect to
15 any such academic standard.

16 (3) Beginning on the effective date of this subsection ... [LRB inserts date], the
17 state superintendent may not take any action to adopt or implement any academic
18 standard developed by the Common Core State Standards Initiative, and may not
19 direct any school board to adopt or implement any such standard.

20 SECTION 4. 115.385 (1) (a) (intro.) of the statutes is amended to read:

21 115.385 (1) (a) (intro.) Multiple measures to determine a school's performance
22 or a school district's improvement, including all of the following categorized by
23 English language proficiency, disability, income level, and race or ethnicity:

24 SECTION 5. 115.385 (1) (a) 1. of the statutes is amended to read:

25 115.385 (1) (a) 1. Pupil achievement ~~and growth~~ in reading and mathematics.

1 **SECTION 6.** 115.385 (1) (a) 1m. of the statutes is created to read:

2 115.385 (1) (a) 1m. Growth in pupil achievement in reading and mathematics,
3 calculated using a value-added methodology.

4 **SECTION 7.** 115.385 (1) (a) 2. of the statutes is repealed.

5 **SECTION 8.** 115.385 (1) (a) 3. of the statutes is amended to read:

6 115.385 (1) (a) 3. ~~Gaps~~ Gap closure in pupil achievement in reading and
7 mathematics and, when available, rates of graduation, ~~categorized by race, English~~
8 language proficiency, disability, and income level.

9 **SECTION 9.** 115.385 (1) (a) 4. of the statutes is created to read:

10 115.385 (1) (a) 4. Rates of attendance or of high school graduation.

11 **SECTION 10.** 115.385 (1) (b) of the statutes is renumbered 115.385 (1) (b) (intro.)
12 and amended to read:

13 115.385 (1) (b) (intro.) An index system to identify a school's level of
14 performance and a school district's level of improvement and to annually place assign
15 to each school into and school district one of -5 performance categories. the following
16 grade levels:

17 **SECTION 11.** 115.385 (1) (b) 1. of the statutes is created to read:

18 115.385 (1) (b) 1. "A — Significantly Exceeds Expectations."

19 **SECTION 12.** 115.385 (1) (b) 2. of the statutes is created to read:

20 115.385 (1) (b) 2. "B — Exceeds Expectations."

21 **SECTION 13.** 115.385 (1) (b) 3. of the statutes is created to read:

22 115.385 (1) (b) 3. "C — Meets Expectations."

23 **SECTION 14.** 115.385 (1) (b) 4. of the statutes is created to read:

24 115.385 (1) (b) 4. "D — Meets Few Expectations."

25 **SECTION 15.** 115.385 (1) (b) 5. of the statutes is created to read:

1 115.385 (1) (b) 5. “F — Fails to Meet Expectations.”

2 **SECTION 16.** 115.385 (1) (c) of the statutes is created to read:

3 115.385 (1) (c) A qualitative definition for each of the 5 grade levels in par. (b).

4 **SECTION 17.** 115.385 (1m) of the statutes is created to read:

5 115.385 (1m) For purposes of determining a school’s performance or a school
6 district’s improvement under sub. (1) all of the following apply:

7 (a) The department may not include the following pupils or pupil assessment
8 scores:

9 a. A pupil who attended a private school under the program under s. 118.60 or
10 119.23 in the 8th grade and who transfers to a public school, including a charter
11 school, for the 9th grade.

12 b. A pupil who was enrolled in a public school, including a charter school, in the
13 8th grade and who transfers to a private school under the program under s. 118.60
14 or 119.23 for the 9th grade.

15 c. A pupil, other than a pupil enrolled in the 9th grade, who was enrolled in the
16 school or school district for less than one year prior to taking the pupil assessment.

17 (b) 1. Subject to subd. 2., if the department uses pupil assessment scores to
18 determine a school’s performance or a school district’s improvement, the department
19 shall account for the length of time a pupil was enrolled in the school or school district
20 prior to taking the pupil assessment by weighting pupil assessment scores as follows:

21 a. For a pupil who was enrolled in the school or school district for at least one
22 year but less than 2 years prior to taking the pupil assessment, multiply by 1.

23 b. For a pupil who was enrolled in the school or school district for at least 2 years
24 but less than 3 years prior to taking the pupil assessment, multiply by 2.

1 c. For a pupil who was enrolled in the school or school district for more than 3
2 years prior to taking the pupil assessment, multiply by 3.

3 2. The department may not, for purposes of determining a school's
4 performance, account for the length of time a 9th grade pupil was enrolled in the
5 school.

6 (c) The department shall consider the impact of poverty on pupil achievement
7 and growth by adjusting the importance given to the measures under sub. (1) (a) 1.
8 and 1m. based on the percentage of pupils in the school or school district who are
9 economically disadvantaged. In this paragraph, an economically disadvantaged
10 pupil is a pupil that satisfies either the income eligibility criteria for a free or
11 reduced-price lunch under 42 USC 1758 (b) (1) or other measures of poverty, as
12 determined by the department. Of the total weight the department allocates to the
13 measures under sub. (1) (a) 1. and 1m. for the purpose of determining a school's
14 performance or a school district's improvement, the department shall do as follows:

15 1. If 5 percent or less of the school or school district membership is comprised
16 of economically disadvantaged pupils, weight the measure under sub. (1) (a) 1. at 90
17 percent and the measure under sub. (1) (a) 1m. at 10 percent.

18 2. If 65 percent or more of the school or school district membership is comprised
19 of economically disadvantaged pupils, weight the measure under sub. (1) (a) 1. at 10
20 percent and the measure under sub. (1) (a) 1m. at 90 percent.

21 3. If the percentage of economically disadvantaged pupils in the school or school
22 district membership is more than 5 percent but less than 65 percent, the department
23 shall determine the weight of the measures under sub. (1) (a) 1. as follows:

24 a. Divide 80 by 60.

1 b. Multiply the quotient determined under subd. 3. a. by the percentage of
2 economically disadvantaged pupils in the school or school district membership.

3 c. Add 3.35 to the result under subd. 3. b.

4 4. If the percentage of economically disadvantaged pupils in the school or school
5 district membership is more than 5 percent but less than 65 percent, the department
6 shall determine the weight of the measures under sub. (1) (a) 1m. by subtracting the
7 weight given to the measures under sub. (1) (a) 1. as determined under subd. 3. from
8 100.

9 **SECTION 18.** 115.385 (2) of the statutes is amended to read:

10 115.385 (2) ~~Beginning one year after a charter school established under s.~~
11 ~~118.40 (2r) or a private school participating in a parental choice program under s.~~
12 ~~118.60 or 119.23 begins using the student information system under s. 115.28 (12)~~
13 ~~(b), or begins using a system that is interoperable with that system, the~~ with the
14 accountability report published for the 2015–16 school year, the department shall
15 include the school in its annual school accountability report under sub. (1) charter
16 schools established under s. 118.40 (2r) and private schools participating in a
17 parental choice program under s. 118.60 or 119.23. The department shall use the
18 same criteria to measure the performance of all schools included in the annual school
19 accountability report.

20 **SECTION 19.** 115.385 (3) of the statutes is created to read:

21 115.385 (3) On an accountability report published for a private school
22 participating in a program under s. 118.60 or 119.23, the department shall specify
23 the percentage of pupils attending the private school under the program and comply
24 with one of the following:

1 (a) For a private school that submits achievement data only for those pupils
2 attending the private school under the program, identify the grade derived from data
3 about those pupils as the choice pupil grade.

4 (b) For a private school that submits achievement data for those pupils
5 attending the private school under s. 118.60 or 119.23 and achievement data for all
6 other pupils attending the private school, identify the grade derived from data about
7 pupils attending the school under s. 118.60 or 119.23 as the choice pupil grade. The
8 department shall also identify a 2nd grade, derived from data about all pupils
9 attending the private school including pupils attending the private school under s.
10 118.60 or 119.23, as the private school grade.

11 **SECTION 20.** 115.385 (4) of the statutes is created to read:

12 115.385 (4) Annually, each public school, including a charter school, and each
13 private school participating in a parental choice program under s. 118.60 or 119.23
14 shall provide a copy of the school's accountability report to the parent or guardian of
15 each pupil enrolled in or attending the school. Each school shall simultaneously
16 provide to the parent or guardian of each pupil enrolled in the school a list of the
17 educational options available to children who reside in the pupil's resident school
18 district, including public schools, private schools participating in a parental choice
19 program, charter schools, virtual schools, full-time open enrollment, youth options,
20 course options, and options for pupils enrolled in a home-based private educational
21 program.

22 **SECTION 21.** 115.385 (5) of the statutes is created to read:

23 115.385 (5) Beginning in the 2017-18 school year and biennially thereafter, the
24 appropriate standing committee of each house of the legislature shall conduct a

1 2. The examination is comprised of a variety of testing methodologies,
2 including multiple choice and short answer, to assess a range of student skills.

3 3. The examination includes accommodations or alternative assessments for
4 students enrolled in a special education program under subch. V of ch. 115.

5 4. The examination provider makes available translations for limited-English
6 proficient pupils, as defined in s. 115.955 (7).

7 5. The examination may be administered in a variety of modes, including with
8 paper and pencil, in an online format, in a fixed form format, and in an adaptive
9 format.

10 6. The examination has internal consistency reliability coefficients of at least
11 0.8.

12 (b) An examination approved under this subsection may be administered only
13 by a school that notifies the department of its intent to administer the examination.

14 (3) (a) Notwithstanding s. 118.30 (1m), beginning in the 2015–16 school year,
15 a school board is not required to administer an examination adopted or approved by
16 the state superintendent under s. 118.30 (1) in any grade for which an examination
17 is required to be administered under s. 118.30 if the school board administers in that
18 grade an alternative examination approved by the research center under sub. (2).
19 If the school board elects to administer an alternative examination under this
20 paragraph, the school board shall notify the department of its intent to administer
21 the examination and shall publish that fact and information about the examination
22 on the school's Internet site.

23 (b) Notwithstanding s. 118.30 (1r), beginning in the 2015–16 school year, an
24 operator of a charter school under s. 118.40 (2r) is not required to administer an
25 examination adopted or approved by the state superintendent under s. 118.30 (1) in

1 any grade for which an examination is required to be administered under s. 118.30
2 if the operator administers in that grade an alternative examination approved by the
3 research center under sub. (2). If the operator of the charter school elects to
4 administer an alternative examination under this paragraph, the operator shall
5 notify the department of its intent to administer the examination and shall publish
6 that fact and information about the examination on the school's Internet site.

7 (c) Notwithstanding s. 118.30 (1s), beginning in the 2015–16 school year, the
8 governing body of each private school participating in the program under s. 119.23
9 that is required to administer an examination under s. 118.30 (1s) is not required to
10 administer an examination adopted or approved by the state superintendent under
11 s. 118.30 (1) in any grade for which an examination is required to be administered
12 under s. 118.30 if the governing body administers in that grade an alternative
13 examination approved by the research center under sub. (2). If the governing body
14 of the private school elects to administer an alternative examination under this
15 paragraph, the governing body shall notify the department of its intent to administer
16 the examination and shall publish that fact and information about the examination
17 on the school's Internet site.

18 (d) Notwithstanding s. 118.30 (1t), beginning in the 2015–16 school year, the
19 governing body of a private school participating in a program under s. 118.60 that
20 is required to administer an examination under s. 118.30 (1t) is not required to
21 administer an examination adopted or approved by the state superintendent under
22 s. 118.30 (1) in any grade for which an examination is required to be administered
23 under s. 118.30 if the governing body administers in that grade an alternative
24 examination approved by the research center under sub. (2). If the governing body
25 of the private school elects to administer an alternative examination under this

1 administered under s. 118.30 (1m) (a) or (am) or s. 118.301 (3), unless the pupil has
2 been excused from taking the examination under s. 118.30 (2) (b); the pupil's
3 academic performance; the recommendations of teachers, which shall be based solely
4 on the pupil's academic performance; and any other academic criteria specified by
5 the school board. Except as provided in par. (b) 1. and 3., the criteria apply to pupils
6 enrolled in charter schools located in the school district.

7 **SECTION 39.** 118.33 (6) (b) 1. of the statutes is amended to read:

8 118.33 (6) (b) 1. Each operator of a charter school under s. 118.40 (2r) shall
9 adopt a written policy specifying the criteria for promoting a pupil from the 4th grade
10 to the 5th grade and from the 8th grade to the 9th grade. The criteria shall include
11 the pupil's score on the examination administered under s. 118.30 (1r) (a) or (am) or
12 s. 118.301 (3), unless the pupil has been excused from taking the examination under
13 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
14 which shall be based solely on the pupil's academic performance; and any other
15 academic criteria specified by the operator of the charter school.

16 **SECTION 40.** 118.33 (6) (c) 1. of the statutes is amended to read:

17 118.33 (6) (c) 1. The governing body of each private school participating in the
18 program under s. 119.23 shall adopt a written policy specifying criteria for promoting
19 a pupil who is attending the private school under s. 119.23 from the 4th grade to the
20 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
21 pupil's score on the examination administered under s. 118.30 (1s) (a) or (b) or s.
22 118.301 (3), unless the pupil has been excused from taking the examination under
23 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
24 which shall be based solely on the pupil's academic performance; and any other
25 academic criteria specified by the governing body of the private school.

1 **SECTION 41.** 118.33 (6) (cr) 1. of the statutes is amended to read:

2 118.33 (6) (cr) 1. The governing body of each private school participating in the
3 program under s. 118.60 shall adopt a written policy specifying criteria for promoting
4 a pupil who is attending the private school under s. 118.60 from the 4th grade to the
5 5th grade and from the 8th grade to the 9th grade. The criteria shall include the
6 pupil's score on the examination administered under s. 118.30 (1t) (a) or (b) or s.
7 118.301 (3), unless the pupil has been excused from taking the examination under
8 s. 118.30 (2) (b); the pupil's academic performance; the recommendations of teachers,
9 which shall be based solely on the pupil's academic performance; and any other
10 academic criteria specified by the governing body of the private school.

11 **SECTION 42.** 118.40 (2r) (d) 2. of the statutes is amended to read:

12 118.40 (2r) (d) 2. Administer the examinations under ~~ss.~~ s. 118.30 (1r) or
13 118.301 (3) and s. 121.02 (1) (r) to pupils enrolled in charter schools under this
14 subsection.

15 **SECTION 43.** 118.57 of the statutes is created to read:

16 **118.57 Notice of educational options; review report grade; pupil**
17 **assessments.** (1) Annually, by January 31, each school board shall publish as a
18 class 1 notice, under ch. 985, and post on its Internet site a description of the
19 educational options available to the child, including public schools, private schools
20 participating in a parental choice program, charter schools, virtual schools, full-time
21 open enrollment, youth options, and course options.

22 (2) The school board shall include in the notice under sub. (1) and in the letter
23 sent under sub. (1) the most recent grade level assigned under s. 115.385 (2) to each
24 school within the school district boundaries, including charter schools established
25 under s. 118.40 (2r) and private schools participating in a parental choice program

1 under s. 118.60 or 119.23. The letter sent by the school board shall inform parents
2 that the full school and school district accountability report is available on the school
3 board's Internet site.

4 **SECTION 44.** 118.60 (7) (e) of the statutes is amended to read:

5 118.60 (7) (e) Each private school participating in the program under this
6 section shall administer the examinations required under s. 118.30 (1t) or
7 examinations permitted under s. 118.301 (3) to pupils attending the school under the
8 program. The private school may administer additional standardized tests to such
9 pupils.

10 **SECTION 45.** 119.23 (7) (e) of the statutes is amended to read:

11 119.23 (7) (e) Each private school participating in the program under this
12 section shall administer the examinations required under s. 118.30 (1s) or
13 examinations permitted under s. 118.301 (3) to pupils attending the school under the
14 program. The private school may administer additional standardized tests to such
15 pupils.

16 **SECTION 46.** 120.12 (13) of the statutes is created to read:

17 120.12 (13) DECLARATION OF EDUCATIONAL STANDARDS. (a) Annually, prior to the
18 beginning of the school term, notify the parents and guardians of pupils enrolled in
19 the school district of the pupil academic standards, adopted under s. 118.30 (1g) (a)
20 1., that will be in effect for the school year.

21 (b) Annually, include as an item on the agenda of the first school board meeting
22 of the school year a notice that clearly identifies the pupil academic standards
23 adopted by the school board under s. 118.30 (1g) (a) 1. that will be in effect for the
24 school year.

25 (END)